

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI,
SOUTHERN DIVISION



DANGELO R. TOWNSEL

PLAINTIFF

VS.

CIVIL ACTION NO. 1:21cv250490-JCG

RAMON A. WILLIAMS AND
WILMAR TRUCKING, LLC

DEFENDANTS

COMPLAINT
JURY TRIAL REQUESTED

COMES NOW Dangelo R. Townsel, by and through counsel, and for cause of action against the defendants, Ramon A. Williams and Wilmar Trucking, LLC, states and alleges the following:

1.

Dangelo R. Townsel is an adult resident citizen of Lucedale, George County, Mississippi.

2.

Ramon A. Williams is an adult resident citizen of Jackson, Alabama, and may be served with process at 499 Robinson Circle, Jackson, Alabama 39545.

3.

Wilmar Trucking, LLC is a foreign limited liability company organized under the laws of Alabama; is not licensed to do business in the State of Mississippi but is doing business in the State of Mississippi; and may be served with the process of this Court through its agent of process, John B. Donald, located at 900 Highway 28 West, Camden, Alabama 35209. The members of Wilmar Trucking, LLC are John B. Donald, a citizen of Alabama, and Randall C. McManus, a citizen of Alabama.



4.

This Court has jurisdiction of the parties and the subject matter of this action. Venue is proper as this civil action arises out of negligent acts and omissions committed in Jackson County, Mississippi and the cause of action alleged in this Complaint occurred and accrued in Jackson County, Mississippi, which is in the United States District Court for the Southern District of Mississippi, Southern Division. Jurisdiction is based on Diversity of Citizenship per 28 U.S.C §1332 in that the lawsuit involves citizens of different States and the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interests and costs.

5.

On or about February 23, 2019, Dangelo R. Townsel was operating a vehicle in an easterly direction on Interstate 10 near its intersection with Highway 613 in Jackson County, Mississippi.

6.

At the same time, Ramon A. Williams was operating a vehicle in an easterly direction on Interstate 10 near its intersection with Highway 613 in Jackson County, Mississippi directly behind the vehicle being operated by Dangelo R. Townsel.

7.

At such time, the vehicle being operated by Ramon A. Williams collided with the rear of the vehicle being operated Dangelo R. Townsel and pushed it into the vehicle directly front of the vehicle being operated by Dangelo R. Townsel.

8.

Ramon A. Williams was operating his vehicle in a negligent manner which caused his vehicle to collide with the rear of the vehicle being operated by Dangelo R. Townsel and the plaintiff's resulting injuries.

9.

Dangelo R. Townsel's vehicle was stopped at the time of the collision, since he was waiting for traffic to proceed in front of him. Dangelo R. Townsel was operating his vehicle in a lawful and prudent manner at the time of the collision and was not negligent in the operation of his vehicle.

10.

The collision and resulting damages to Dangelo R. Townsel were directly and proximately caused by the negligence of Ramon A. Williams in the following ways:

- (a) Failing to obey the traffic signs;
- (b) Failing to keep his vehicle under reasonable and proper control;
- (c) Failing to keep a reasonable and proper lookout as he operated his vehicle;
- (d) Failing to yield the right of way;
- (e) Failing to obey traffic signals;
- (f) Failing to abide by the Rules of the Road;
- (g) Operating his vehicle in a careless and negligent manner;
- (h) Failing to give adequate warnings of a collision;
- (i) Causing his vehicle to collide into the Plaintiff;
- (j) Speeding or travelling at a speed unreasonable for the existing conditions; and/or,
- (k) Other acts of omission and commission to be named in a trial of this matter.

11.

At all times relevant hereto, Ramon A. Williams was operating a vehicle owned and maintained by Wilmar Trucking, LLC and was acting in the course and scope of his employment with Wilmar Trucking, LLC. As such, Wilmar Trucking, LLC is vicariously liable for any and all

negligent acts of Ramon A. Williams under the theory of Respondeat Superior and/or vicarious liability as the employer of Ramon A. Williams or owner and maintainer of the vehicle Ramon A. Williams was operating at the time of the collision.

12.

As a result of Ramon A. Williams' negligent acts and/or omissions, Dangelo R. Townsel has suffered past, present, and future medical expenses; past, present, and future loss of wages or wage earning capacity; loss of household services; property damage; and, past, present, and future pain and suffering and resulting emotional distress and mental anguish.

13.

Based on the foregoing, Plaintiff requests an award of damages for the following:

1. past, present, and future pain and suffering and resulting emotional distress and mental anguish;
2. past, present, and future loss of wages or wage earning capacity;
3. past medical expenses;
4. future medical expenses;
5. loss of household services;
6. property damage;
7. Pre-judgment interest;
8. Post-judgment interest; and,
9. All costs of court.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Dangelo R. Townsel, demands judgment against defendants, Ramon A. Williams and Wilmar Trucking, LLC, in an amount in excess of the jurisdictional minimum of this court and to be determined by a jury to adequately

compensate the plaintiff for his injuries; pre-judgment and post-judgment interest; his costs in pursuing this lawsuit; and any other relief to which he may be entitled under Mississippi Law.

RESPECTFULLY SUBMITTED, this the 29th day of June, 2021.

DANGELO R. TOWNSEL

BY: 

OF COUNSEL

PAUL V. OTT, ESQ. - BAR # 8742
MORGAN & MORGAN, PLLC
4450 OLD CANTON RD., SUITE 200
JACKSON, MS 39211
PHONE: (601) 503-1667
FACSIMILE: (601) 503-1613
POTT@FORTHEPEOPLE.COM